

BOARD OF APPEAL REFERRALS

January 8, 1981

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2. Z-4945 Museum of Fine Arts
230 (rear) Fenway, Boston
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2-4-6 Roseclair Street, Dorchester

MEMORANDUM

JANUARY 8, 1981

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: Robert J. Ryan, Director
SUBJECT: BOARD OF APPEAL REFERRALS

Hearing: 1/13/81

Z-4944

Four story structure.

Stephen E. Lizio, Trustee
321-323 Columbus Ave., Boston
near Dartmouth Street

District(s): apartment _____ general business B-4 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy from garage to
nine apartments with indoor parking
for five cars; erect 1 1/2 story addition.

Violation(s):

SectionRequiredProposed

15-1. Floor Area Ratio is excessive.

17-1. Open space is insufficient.

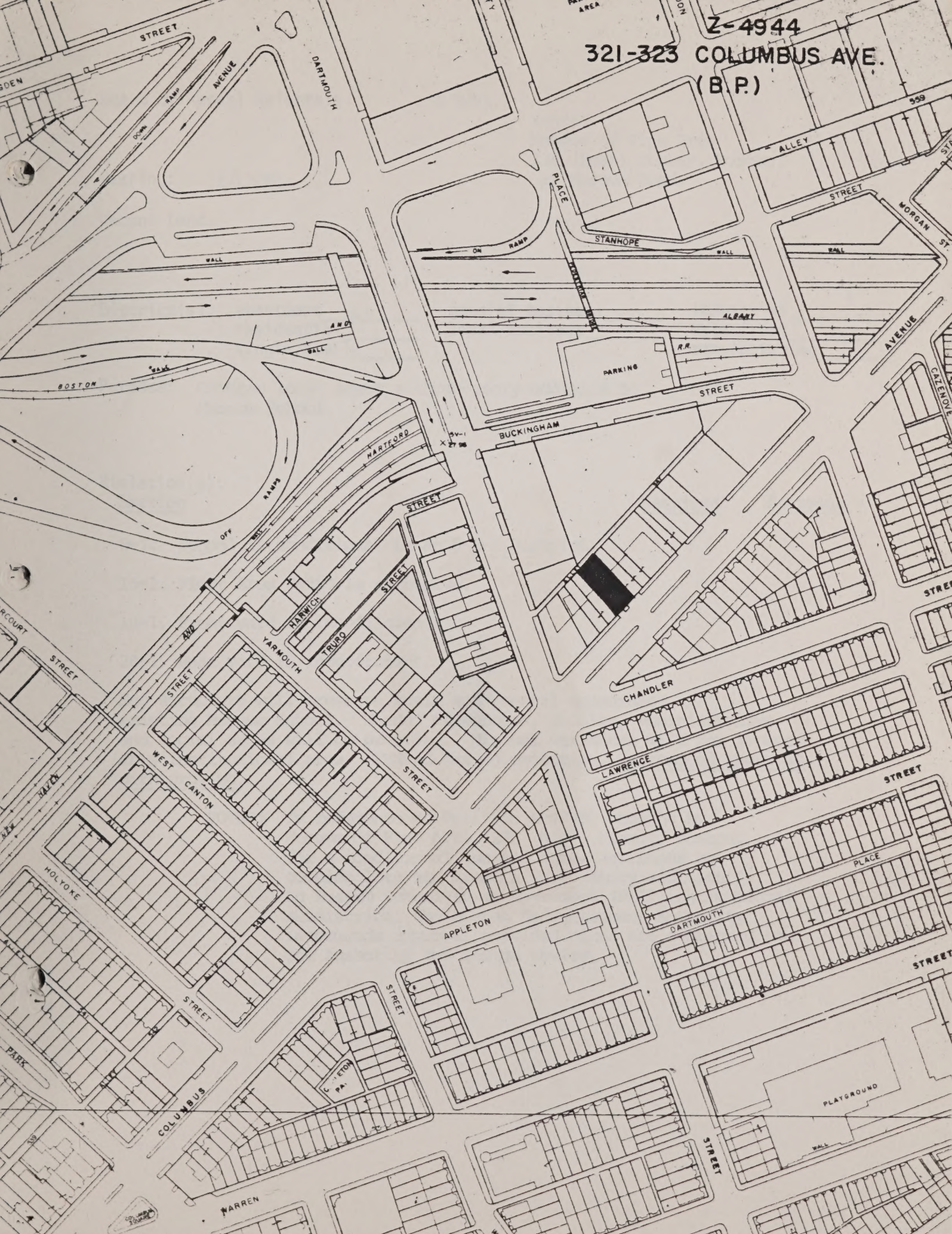
20-1. Rear Yard is insufficient.

Proposal is compatible with existing residential density.
Apartment terraces will mitigate open space deficiency.
Interior parking provisions for five cars. Little City Hall
supports. Recommend approval with proviso.

VOTED: In reference to Petition Z-4944, brought by
Stephen E. Lizio, Trustee, 321-323 Columbus Avenue,
Boston, for three variances for change of occupancy
from garage to nine apartments with indoor parking
for five cars and erect a 1 1/2 story addition in a
General Business (B-4) District, the Boston
Redevelopment Authority recommends approval provided
plans are submitted to the Authority for design
review.

Z-4944

321-323 COLUMBUS AVE.
(B.P.)



Board of Appeal Referrals

1/8/81.

Z-4945

Museum of Fine Arts

230 (Rear) Fenway, Boston
at Museum Road.

Hearing: 1/13/81.

Vacant Land.

District(s):	apartment <u>H-2</u>	general business _____	industrial _____
	residential _____	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: Combine lots; erect a three-story addition to
Museum School.

Violation(s):

Section

Required

Proposed

8-7. School is conditional in an H-2-I District.

15-1. Floor Area Ratio is excessive.

18-1. Front yard is insufficient.

20-1. Rear yard is insufficient.

New structure will preserve scale and general appearance of existing Museum School. Needed classrooms, studios, administrative and social areas will be provided. Minimal variances will not impact this institutional area. FENPAC has no objection. Recommend approval with proviso.

VOTED: In reference to Petition Z-4945, brought by Museum of Fine Arts, 230 (Rear) Fenway, Boston, for a conditional use and three variances to combine lots and erect a three-story addition to Museum School in an Apartment (H-2) institutional subdistrict, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.



Board of Appeal Referrals

1/8/81

Hearing: 1/13/81

Z-4952-4954

Russia Wharf Company

518-540 Atlantic Avenue, 270 & 278-290
Congress Street, Boston

Seven-story structures.

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing M-4_____

Purpose: Combine buildings; change occupancy from offices, stores, restaurant, printing machinery, commercial stationery office equipment to offices, retail, restaurant and garage.

Violation(s):

Section

Required

Proposed

8-7. Parking garage is conditional in a restricted parking district.

24-2. Off street loading bays are insufficient.

Parking in basement will provide approx. 60 spaces in addition to present 60 open lot spaces. Rehabilitation of these buildings is consistent with similar developments in the Fort Point Channel - Waterfront areas. Recommend approval with proviso.

VOTED: In reference to Petitions Z-4952-4954, brought by Russia Wharf Company, 518-540 Atlantic Avenue, 270 & 278-290 Congress Street, Boston, for a conditional use and variances to combine buildings and change occupancy from offices, stores, restaurant, printing machinery, commercial stationery office equipment to offices, retail, restaurant and garage in a Manufacturing (M-4) District, the Boston Redevelopment Authority recommends approval provided plans are submitted to the Authority for design review.

7-4952-54
518-540 ATLANTIC AVE.
270-290 CONGRESS ST.
(B.P.)

Board of Appeal Referrals 1/8/81.

Z-4959
Stephen McAllister
269 Webster Street, East Boston
near Sumner Street

Hearing: 1/13/81.
Three-story frame structure.

District(s): apartment H-1-40 general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Change occupancy from three to four
apartments.

Violation(s):
Section Required Proposed

8-7. Any dwelling converted for more families which does
not meet the requirements of lot area is forbidden
in an H-1-40 District.

14-2. Lot area is insufficient.

15-1. Floor Area Ratio is excessive.

Conversion will not adversely affect the residential character
of the neighborhood. No neighborhood objections. Recommend approval.

VOTED: In reference to Petition Z-4959, brought by Stephen
McAllister, 269 Webster Street, East Boston, for a
forbidden use and two variances for change of occupancy
from three to four apartments in an Apartment (H-1-40)
District, the Boston Redevelopment Authority recommends
approval. Conversion will not adversely affect the
residential character of the neighborhood.

Board of Appeal Referrals 1/8/81

Z-4964
North End Auto Service Inc.
280-292 Commercial Street, Boston
at Clark Street

Hearing: 1/20/81.

One-story structure & parking lot.

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing M-2

Purpose: Erect an eight-story structure -
54 apartment units and 63 enclosed
parking spaces.

Violation(s):

Section

Required

Proposed

- 8-7. Multi-family dwelling is conditional in an M-2 District.
- 15-1. Floor area ratio is excessive.
- 20-1. Rear yard is insufficient.
- 21-3. Side parapet setback is insufficient.
- 21-3. Rear parapet setback is insufficient.

Residential use is consistent with North End-Waterfront neighborhood. Parking for 63 vehicles will be provided on first and second floors; each of the remaining floors 3 through 8 will contain nine dwelling units. Neighborhood concerns over building height, parking, noise and fumes have not yet been adequately addressed. Recommend denial without prejudice until neighborhood concerns are resolved.

VOTED: In reference to Petition Z-4964, brought by North End Auto Service Inc., 280-292 Commercial Street, Boston, for a conditional use and four variances to erect an eight-story apartment-garage structure in a Manufacturing (M-2) District, the Boston Redevelopment Authority recommends denial without prejudice until neighborhood concerns are resolved.



Z-4964

280-292 COMMERCIAL ST.
(B.P.)

Board of Appeal Referrals

1/8/81.

Z-4970

William Leatherman

173 Massachusetts Ave., Boston
near Haviland Street.

Hearing: 1/20/81.

Three-story structure.

District(s):	apartment_____	general business_____B-2	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Change occupancy from restaurant lounge to
three apartments and restaurant lounge.

Violation(s):

Section

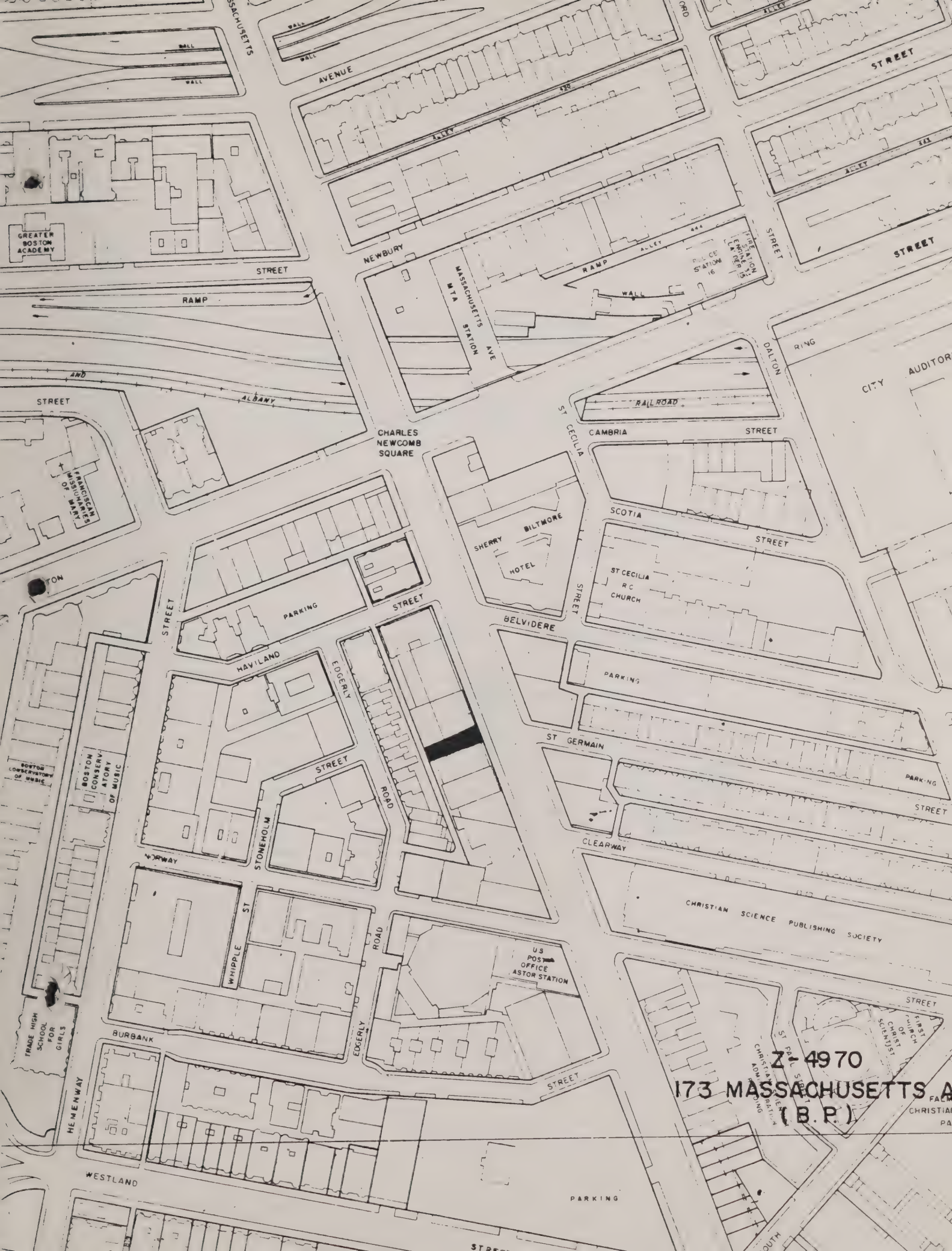
Required

Proposed

17-1. Open space is insufficient.

Proposed occupancy is compatible with the residential-commercial nature of this area. FENPAC and Little City Hall have no objections. Recommend approval with proviso.

VOTED: In reference to Petition Z-4970, brought by William Leatherman, 173 Massachusetts Avenue, Boston, for a variance for change of occupancy from restaurant lounge to three apartments and restaurant lounge in a General Business (B-2) District, the Boston Redevelopment Authority recommends approval provided petitioner purchase or lease space to supply off-street parking.



Z-4970
173 MASSACHUSETTS AVE
(B.P.)

Board of Appeal Referrals

1/8/81.

Z-4972

Norbert Benotti

12-13 Bay State Road, Boston
near Charlesgate West

Hearing: 1/20/81.

Four story structure.

District(s):	apartment	H-4.	general business	_____	industrial	_____
	residential	_____	local business	_____	waterfront	_____
	single family	_____			manufacturing	_____

Purpose: Change occupancy from five apartments and
doctor's office to seven apartments and
doctor's office.

Violation(s):

SectionRequiredProposed

8-6. Change in conditional use requires Board of
Appeal hearing.

Occupancy is existing, consistent with residential-office uses in
the area. Neighbors have no objection. Recommend approval with proviso.

VOTED: In reference to Petition Z-4972, brought by
Norbert Benotti, 12-13 Bay State Road, Boston,
for a change in conditional use for change of
occupancy from five apartments and doctor's office
to seven apartments and doctor's office in an
Apartment (H-4) District, the Boston Redevelopment
Authority recommends approval with the following
proviso: that provisions be made to supply
off-street parking. Local streets are heavily
congested with curb parking.

Z-4972

12-13 BAY STATE

(B.P.)

BASIN



Board of Appeal Referrals 1/8/81.

Z-5011

Edward D. Barker, Trustee
77 Salem Street, Boston
near Cross Street

Hearing: 1/20/81.

One story structure.

District(s):	apartment_____	general business <u>B-2</u>	industrial_____
	residential_____	local business_____	waterfront_____
	single family_____		manufacturing_____

Purpose: Erect twelve unit apartment structure
and accessory garage.

Violation(s):

Section

Required

Proposed

15-1. Floor Area Ratio is excessive.

Salem Street is narrow, congested and heavily populated. Proposal will disrupt the commercial character of the area by eliminating ground floor retail space and intensify existing acute traffic conditions. Further, vehicular access to and exit from parking facility would create a safety hazard to pedestrians. Little City Hall is opposed. Recommend denial.

VOTED: In reference to Petition Z-5011, brought by Edward D. Barker, Trustee, 77 Salem Street, Boston, for a variance to erect a twelve unit apartment structure in a General Business (B-2) District, the Boston Redevelopment Authority recommends denial. Salem Street is narrow, congested and heavily populated. Proposal will disrupt the commercial character of the area by eliminating ground floor retail space and intensify existing acute traffic conditions. Further, vehicular access to and exit from parking facility would create a safety hazard to pedestrians. Petitioner did not submit evidence to justify petition. Little City Hall is opposed.



Z-5011
77 SALEM ST
(B.P.)

Board of Appeal Referrals

1/8/81.

Z-5012-5013

Joseph Tagliante

958-960 Morrissey Blvd. &

60 Norwood St., Dorchester

Hearing: 1/20/81.

1 1/2 story structure.

District(s): apartment _____ general business _____ industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing M-1

Purpose: Move office structure from Morrissey Blvd.
to existing foundation on Norwood Street.

Violation(s):

Section

Required

Proposed

18-1. Front yard is insufficient (Norwood St.)

18-4. Front yard is insufficient (Conley St.)

Structure has been moved and is in place at intersection of
Norwood and Conley Streets. Office use for operation of
"Burger King" restaurants is compatible with surrounding
commercial properties. Recommend approval.

VOTED: In reference to Petitions Z-5012-5013, brought by
Joseph Tagliante, 958-960 Morrissey Blvd. & 60 Norwood
Street, Dorchester, for four variances to relocate
office structure in a Manufacturing (M-1) District,
the Boston Redevelopment Authority recommends approval.
Office has been moved and is in place at intersection of
Norwood & Conley Streets. Use is compatible with
surrounding commercial properties.



Z-5012-13
958-960 MORRISSEY BLVD
60 NORWOOD ST.
(DOR.)

Board of Appeal Referrals

1/8/81.

Z-5015

Arthur J. Lewis, Jr.

339 Pond Street, Jamaica Plain
at Neillian Crescent

Hearing: 1/20/81.

2 1/2 story structure.

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business_____	waterfront_____
	single family <u>S-.3</u>		manufacturing_____

Purpose: Erect one-story and basement addition to one family dwelling.

Violation(s):

SectionRequiredProposed

18-4. Front yard is insufficient.

20-1. Rear yard is insufficient.

Expansion will create bedroom and family room. Variances will not adversely affect surrounding properties. No objections.

Recommend approval.

VOTED: In reference to Petition Z-5015, brought by Arthur J. Lewis, Jr., 339 Pond Street, Jamaica Plain, for two variances to erect a one-story and basement addition to a one family dwelling in a Single Family (S-.3) District, the Boston Redevelopment Authority recommends approval. Variances will not adversely affect surrounding properties.



Board of Appeal Referrals 1/8/81.

Hearing: 1/20/81.

Z-5021
Carmen Merlino
54-54A High Street
Charlestown
at Green Street

Three-story frame structure.

District(s):	apartment H-1	general business	industrial
	residential	local business	waterfront
	single family		manufacturing

Purpose: Change occupancy from two family dwelling and store to four family dwelling and store.

Violation(s):

<u>Section</u>	<u>Required</u>	<u>Proposed</u>
8-7. Any dwelling converted for more families which does not meet the requirements for open space is forbidden in an H-1 District.		
14-1. Lot area is insufficient.		
17-1. Open space is insufficient.		

Conversion will not have an adverse impact on the multi-family neighborhood. Neighbors and Little City Hall support the conversion.
Recommend approval.

VOTED: In reference to Petition Z-5021, brought by Carmen Merlino, 54-54A High Street, Charlestown, for a forbidden use and three variances for change of occupancy from two family dwelling and store to four family dwelling and store in an Apartment (H-1) District, the Boston Redevelopment Authority recommends approval. Conversion will not have an adverse impact on the multi-family neighborhood.



Z-5021
54-54A HIGH ST.
(CHSN.)

Board of Appeal Referrals

1/8/81

Z-5031

The Hilyer Trust

Rodger Dashow, Trustee

102-112 Broad Street, Boston
at Wharf Street

Hearing: 1/13/81.

Five-story structure.

District(s): apartment_____ general business B-10 industrial_____

residential_____ local business_____ waterfront_____

single family_____ manufacturing_____

Purpose: Change occupancy from restaurant and storage
to six apartments, bar, store, office.

Violation(s):

SectionRequiredProposed

17-1. Open space is insufficient.

Bar, store and office are existing. Residential units replacing
warehouse use will improve structure. Proximity to Waterfront Park
tends to mitigate open space deficiency. Recommend approval with proviso.

VOTED: In reference to Petition Z-5031, brought by the
Hilyer Trust, 102-112 Broad Street, Boston, for
a variance for change of occupancy from restaurant
and storage to six apartments, bar, store and
office in a General Business (B-10) District the
Boston Redevelopment Authority recommends approval
provided plans are submitted to the Authority for
design review, and provided that leases for
billboards on the roof and attached to side of
building are cancelled.



Z-5031

101-112 BROAD ST.

FOSTER'S (B.P.)

Board of Appeal Referrals

1/8/81.

Z-5032

Marilyn M. Cuzzi, Trustee
883-889 Boylston Street, Boston
at Gloucester Street

Hearing: 1/13/81.

Four story structure.

District(s): apartment _____ general business B-10-155 industrial _____
residential _____ local business _____ waterfront _____
single family _____ manufacturing _____

Purpose: Extend existing restaurant storefront.

Violation(s):

Section

Required

Proposed

9-1. Extension of a non-conforming use requires
Board of Appeal hearing.

Restaurant use has existed at site for several years.
Extension will enclose space formerly covered by a canopy
for interior seating. Back Bay Architectural Commission has
granted approval. Recommend approval with provisos.

VOTED: In reference to Petition Z-5032, brought by Marilyn
M. Cuzzi, Trustee, 883-889 Boylston Street, Boston,
for an extension of a non-conforming use to extend
existing restaurant storefront in a General Business
(B-10-155) District, the Boston Redevelopment
Authority recommends approval with the following
provisos: that no bar or lounge be allowed; beverages
to be served only with meals; that no entertainment
be allowed; that trash compactor be installed; that
all deliveries and daily trash pick up occur between 9
& 4 pm; that restaurant daily operation terminate no
later than 1 am.

883-889 BOYLSTON ST.
(B.P.)

COMMONWEALTH

Board of Appeal Referrals

1/8/81.

Z-5041

Melvin L. Pollock

858-860 Beacon Street, Boston

near Audubon Circle

Hearing: 1/13/81.

Six-story structure.

District(s):	apartment <u>H-2</u>	general business _____	industrial _____
	residential _____	local business _____	waterfront _____
	single family _____		manufacturing _____

Purpose: Change occupancy from 24 apartments, office, store
to 24 apartments, office, store, restaurant.

Violation(s):

SectionRequiredProposed

8-7. Restaurant is forbidden in an H-2 District.

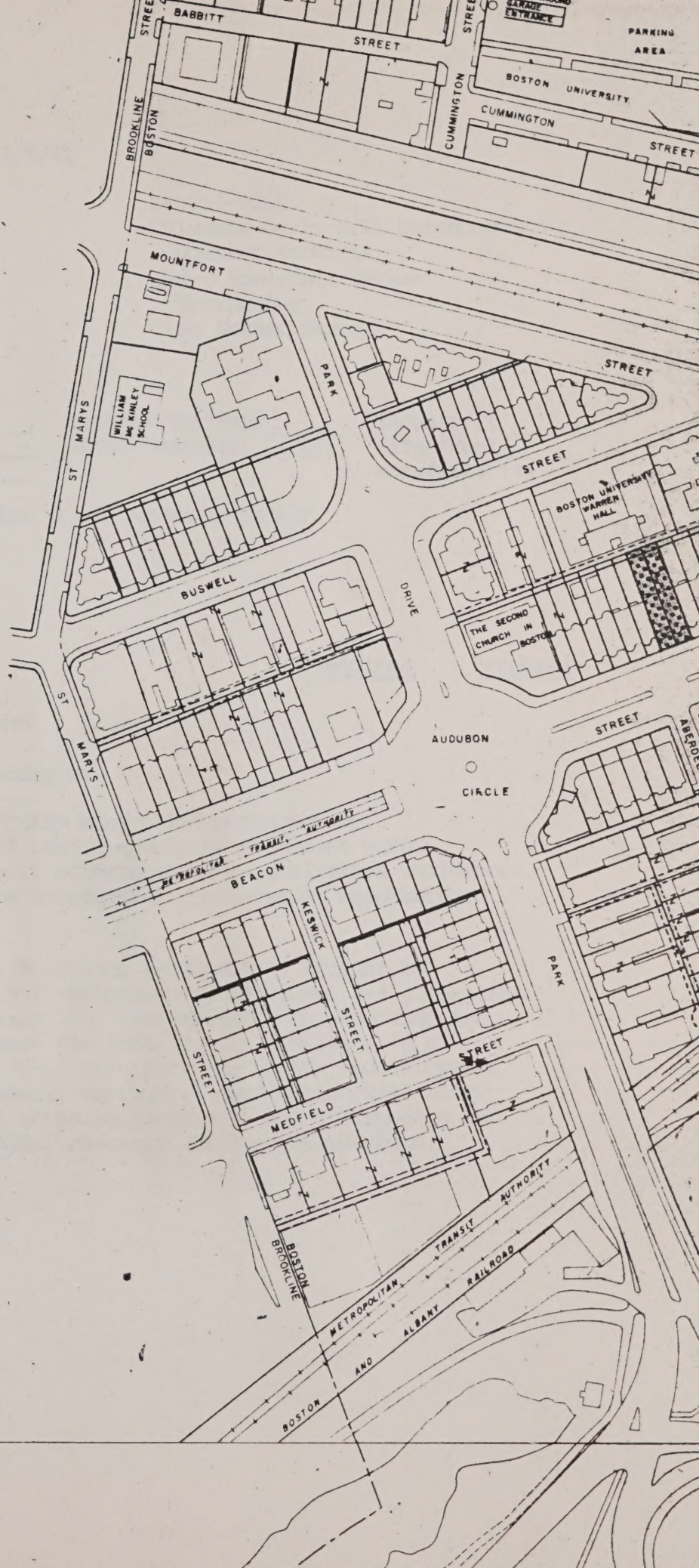
Family style restaurant for approximately 50-60 patrons will be located in the basement of this multi-family structure. Facility will not have liquor license. No objections indicated. Recommend approval.

VOTED: In reference to Petition Z-5041, brought by Melvin L. Pollock, 858-860 Beacon Street, Boston, for a forbidden use for change of occupancy from 24 apartments, office, store to 24 apartments, office, store, restaurant in an Apartment (H-2) District, the Boston Redevelopment Authority recommends approval. Restaurant will serve immediate area and is compatible with residential-commercial character of the area.

LINE

Z-5041

58-860 BEACON ST.
(B.P.)



Board of Appeal Referrals 1/8/81

Hearing: 1/13/81.

Three-story frame structures.

Z-5054-5056
Columbia-Savin Hill Neighborhood
Housing Services
2-4-6 Roseclaire Street
Dorchester
at Boston Street

District(s):	apartment_____	general business_____	industrial_____
	residential_____	local business <u>L-1</u>	waterfront_____
	single family_____		manufacturing_____

Purpose: Subdivide; legalize Nos. 2 & 6 as three-family dwellings.

Violation(s):

Section

Required

Proposed

14-1. Lot area is insufficient.

15-1. Floor area ratio is excessive.

Petitioner, a non-profit community controlled organization, acquired properties as part of Land Disposition Agreement with the Authority. Subdivision will allow sale of rehabilitated residences to owner occupants and enhance residential character of neighborhood.

Recommend approval.

VOTED: In reference to Petitions Z-5054-5056, brought by Columbia-Savin Hill Neighborhood Services, 2-4-6 Roseclaire Street, Dorchester, for six variances to subdivide and legalize occupancy for three family dwellings in a Local Business (L-1) District, the Boston Redevelopment Authority recommends approval. Subdivision will allow sale of rehabilitated residences to owner occupants and enhance residential character of the neighborhood.



